
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the Care Standards Act 2000 (“the Act”). They modify the Act so as to apply Part II of the Act to adult placement schemes in Wales (“schemes”) and make provision in relation to such schemes.

Part I of the Act and Part II as modified and applied by these Regulations provide for the National Assembly for Wales, in relation to Wales, to register persons providing or managing schemes and to inspect scheme premises. Part II also provides that a person who provides or manages a scheme without being registered in respect of it commits an offence. The Act also provides for the Assembly to make regulations governing the conduct of schemes in relation to Wales. Under section 13 of the Act the National Assembly must be satisfied that the regulations are being and will continue to be complied with if it is to grant an application for registration.

Regulation 2 defines an adult placement scheme as a scheme under which arrangements are made or proposed to be made for not more than two adults to be accommodated and provided with personal care in the home of a person who is not their relative.

Regulation 3 and Schedule 1 apply with modifications Part II of the Act to adult placement schemes.

Regulations 4 to 6 are about the scheme’s statement of purpose and adult placement scheme guide. Each scheme must have a statement of purpose and a guide to the scheme (regulations 4 and 5). The statement and the guide are to be kept under review and revised if necessary (regulation 6).

Regulation 7 requires the fact of a scheme’s registration to be noted on correspondence and documents.

Part II of the Regulations makes provision about the fitness of persons providing or managing the scheme, and requires satisfactory information as to the matters set out in Schedule 3 to be available in relation to these persons. Regulation 8 provides that where the registered provider is an organisation, a responsible individual must be appointed, and regulation 11 imposes general requirements in relation to the conduct of a scheme and for registered persons to undertake appropriate training.

Part III of the Regulations makes provision about the making of placements and adult placement agreements (regulation 13), the monitoring and review of placements (regulation 14), the termination of placements (regulation 15) and the fitness and training of adult placement carers (regulations 16 and 17). Regulation 18 requires the registered person to assess the adult’s needs and to produce and review a plan which describes how those needs are to be met.

Part IV makes provision for the general conduct of the scheme (regulation 19), record keeping (regulation 20), complaints procedures of the scheme (regulation 21), review of the quality of the scheme’s operations (regulation 22) and the visiting of a scheme by or on behalf of its registered provider (regulation 23). It also makes provision about the fitness of scheme workers and their training (regulations 24 and 25) and the provision of a staff handbook and code of conduct (regulation 26). Regulation 27 makes provision concerning the financial position of schemes. Part IV also requires notice to be given to the National Assembly of specified events relating to a scheme (regulations 28 to 31).

Part V of the Regulations deals with miscellaneous matters such as offences under the Regulations (regulation 32), the specification of appropriate offices of the National Assembly for the purpose of obligations under the Regulations to give notice (regulation 33), amendments to the Statutory Instruments about the making of applications for registration and the payment of registration fees (regulations 34 and 35), transitional provisions (regulation 36) and amendments to the Care

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Homes (Wales) Regulations 2002 and to the Domiciliary Care Agencies (Wales) Regulations 2004 (regulations 37 and 38).

A Regulatory Appraisal has been prepared in connection with these Regulations. A copy may be obtained from the Older People and Long-term Care Policy Directorate, the National Assembly for Wales, Cathays Park, Cardiff, CF10 3NQ (Tel: 02920825441).